

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

CLAUDE MAYO CONSTRUCTION)	
COMPANY, INC.,)	
)	
Plaintiff,)	
)	
v.)	No. 15-1263C
)	(Judge Kaplan)
THE UNITED STATES,)	
)	
Defendant.)	

JOINT STATUS REPORT

Pursuant to this Court's Order, issued December 6, 2016 (Dkt. No. 18), plaintiff, Claude Mayo Construction Company, Inc. (CMCC), and defendant, the United States (collectively, the parties), hereby file this joint status report.

On October 6, 2016, the Court: (1) granted defendant's partial motion to dismiss the second, third, and fourth causes of action from CMCC's complaint; and (2) granted CMCC's cross-motion to stay this case for 60 days (to and including December 5, 2016) with respect to the one remaining cause of action from CMCC's complaint to permit the agency contracting officer sufficient time to issue a final decision as to the claims set forth in CMCC's supplemental claim letter.

Pursuant to the Joint Status Report filed by the parties on December 5, 2016 (Dkt. No. 17), the agency contracting officer required additional time to render the final decision as to the claims set forth in CMCC's supplemental claim letters. That final decision was ultimately issued on December 16, 2016, and the decision denied CMCC's claims.

On December 27, 2016, counsel for CMCC provided a proposed amended complaint to the defendant's counsel in order to determine whether defendant would be willing to consent to the filing of the amendment of the complaint or if it will be necessary for CMCC to seek amendment through motion practice. Defendant's counsel has yet to be able to consult with

agency counsel about the proposed amended complaint due to unavailability during the holiday period. Defendant expects to be in a position to respond to plaintiff's counsel on this issue within the next 7-10 days. After consultation with agency counsel and mandatory review with his superiors, defendant's counsel will be able to decide whether to consent to amendment of the complaint. Only then will the parties be in a position to propose a schedule to govern future proceedings in this case.

Accordingly, the parties jointly request that the Court issue an order continuing the current stay for an additional 30 days and directing the parties to file a joint status report on or before February 3, 2017, advising the Court of the status of the proposed amendment of the complaint and proposing a schedule to govern future proceedings in this case.

Respectfully submitted,

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